

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RCE/1635  
PATENT APPLICATION  
#23  
6-2-02

In re: PATENT APPLICATION of:

Inventor(s): Bright et al.

Appln. No.: 09 405,839

Series Code ↑

Serial No. ↑

Filed: September 27, 1999

Title: Improved Plant Germplasm

Group Art Unit 1635

Examiner: K. A. Lacourciere

Atty. Dkt. P 0263754

SEE 37090/UST

M#

Client Ref

R  
RCE  
EDO NOT USE FOR PROVISIONAL,  
DIVISIONAL, CIP OR DESIGN  
APPLICATIONS, OR REEXAMINATION OF  
PATENTSHon. Commissioner of Patents  
Washington, D.C. 20231

Date: May 28, 2002

RECEIVED

MAY 30 2002

TECH CENTER 1600/290

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114

Please continue the examination of this application.

**PREREQUISITES**

This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.

An issue fee has not been paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).Prosecution has been closed as defined in Rule 114(b).Reply to any outstanding action and Rule 17(e) filing fee must be enclosed

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

**Please consider the following before the next Official Action:**

1. Please ☒ enter ☐ do not enter the Amendment filed \_\_\_\_\_
2. ☒ The enclosed new Amendment
3. ☐ Consider the arguments in the appeal brief filed \_\_\_ and reply brief filed
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☐ The enclosed Information Disclosure Statement
  - ☐ IDS Letter ☐ Cited Appln ☐ Foreign Search Report/OA
  - ☐ PTO-1449 ☐ Cited Documents
6. ☐ Please suspend action under Rule 103(c) for a period of \_\_\_ months (3 mos. Max) for which **charge** the required \$130 fee to our Deposit Account (see below).
7. Petition is hereby made to extend the **original** due date of (1 mo.) \$110/\$55  
\_\_\_\_\_ to cover the date this Request is filed. **PLEASE** (2 mos.) \$400/\$200 +0  
**CHARGE** the requisite fee to our Deposit Account (see below). (3 mos.) \$920/\$460
8. **PLEASE CHARGE** the Rule 17(e) (RCE) filing fee of ☒ \$740 (lg. ent.) ☐ \$370 (sm. ent.) to our  
Deposit Account No. 03-3975 under  
Order No. 070608 / 0263754  
C# M#

**NOTE: Rule 17(e) filing fee Cannot be deferred!**  
**NO CLAIMS FEE REQUIRED**

05/30/2002 AWONDAF1 00000028 033975 09405839

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Intellectual Property Group

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**NOTE: File this Request (plus enclosures, if any) in duplicate and with PTO receipt (PAT-103A)**